

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

13 For the Plaintiff: JENNIFER L. BRANCH, ESQ.
14 Gerhardstein Branch & Laufman Co., LPA
15 617 Vine Street
Suite 1409
Cincinnati, Ohio 45202

17 For the Defendants: MARIE M. HOOVER, ESQ.
18 ROBERT T. HOOVER, ESQ.
19 The Hoover Law Group
621 Seventh Street
Portsmouth, Ohio 45662

20 Law Clerk: Grace Royalty, Esq.

21 | Courtroom Deputy: Barbara Crum

22 | Also Present: Marianne Pressman, Esq.

23 Court Reporter: Maryann T. Maffia, RMR
U.S. Potter Stewart Courthouse
100 E. Fifth Street
Cincinnati, Ohio 45202
24

WEDNESDAY, AUGUST 23, 2006

2 THE COURT: All right. Let's get going then.

3 MS. BRANCH: So is the plan maybe to do the charge
4 conference and do closings after lunch?

5 THE COURT: Let's see how long it takes.

6 THE CLERK: All rise for the jury.

7 (The jury entered at 9:42 a.m.)

8 THE COURT: Good morning everybody. How are you
9 doing today? Sorry to keep you a couple extra minutes, but we
10 were reviewing plaintiff's exhibits out of your presence.

11 The exhibits as tendered and offered by plaintiff will be
12 admitted.

13 Miss Branch, do you have any further testimony by way of
14 documentation or exhibits you wish to present to the jury at
15 this time?

16 MS. BRANCH: No, Your Honor. At this time, the
17 plaintiff rests.

18 THE COURT: Okay. Thank you.

19 Miss Hoover, the plaintiff having rested, do you wish to
20 present any testimony or documentary evidence at this time?

21 MS. HOOVER: Yes, Your Honor. Also, just for the
22 record, I'd like to make a Rule 50 motion. I don't need to
23 argue. I just --

24 THE COURT: It will be denied, but we'll deal with
25 that later.

1 MS. HOOVER. Yes. We'd like to call Lieutenant
2 Gannon.

3 * * *

4
5 THE CLERK: This court is in recess until 1:00 p.m.

6 (At 11:50 a.m., the jury was excused.)

7 MS. HOOVER: At this time, I'd just like to renew my
8 motion for a Rule 50 verdict.

9 THE COURT: And it will be overruled. Thank you.

10 Do you want to make a motion?

11 MS. BRANCH: Yeah. Would you grant my motion? No?
12 Off the record.

13 THE COURT: Not at this time.

14 (At 11:55 a.m., the luncheon recess was taken.)

15 * * *

16 REQUESTED EXCERPTS CONCLUDED

17 * * *

18
19 C E R T I F I C A T E

20 I CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT FROM
21 THE RECORD OF PROCEEDINGS IN THE ABOVE-ENTITLED MATTER.

22
23 Maryann T. Maafia
24 MARYANN T. MAFFIA, RMR
Official Court Reporter

25 Sept 25, 2006
DATE